

REMARKS & ARGUMENTS

The Applicant provides the following remarks and argument for consideration in further examination of the present application and explanation of the amendments presented herein.

Claim Amendments

Claims 2 is amended to provide proper antecedent basis for the limitations in the claim. No claims have been added or canceled.

Objections to the Drawings

The drawings are objected to under 37 C.F.R. 1.83(a). Specifically, the office alleges that “the ceasing the provision of at least one service in favor of allowing the second network to provide the at least one service of independent claim 2 and ceasing the implementation of the at least one service in the gateway in favor of allowing the second network to provide the at least one service must be shown or the feature(s) canceled from the claim(s).” Applicant respectfully disagrees. The features of the claim noted by the Office are recited as “processes implemented within the gateway” of claim 1. The gateway of claim 1 is illustrated throughout the Figures, for example, at least in FIGS. 1, 2, and 4. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the objection to the drawings.

Claim Rejections – 35 U.S.C. § 112

Claim 2 stands rejected under 35 U.S.C. § 112, second paragraph. In view of the amendment of independent claim 2, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claim Rejections – 35 U.S.C. § 102

Claims 2-4, 7, 11-13, 16, 20, 21, 26, and 27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,683,883 to Czeiger, et al. (“Czeiger”) in view of U.S. Patent No. 7,249,173 to Nicolson. All rejections are traversed.

Independent claim 2 provides for a gateway comprising, *inter alia*, processes implemented within the gateway for identifying at least one service provided by the first network that is not provided by the second network, processes for determining when the at least one

service is implemented in the second network and for ceasing the provision of the at least one service in favor of allowing the second network to provide the at least one service. Independent claim 11 recites similar features. The Office rejects claims 2 and 11 in view of Czeiger and Nicolson, alleging that Czeiger and Nicolson disclose all of the features of independent claims 2 and 11. Applicant respectfully disagrees.

The Office acknowledges that “Czeiger fails to explicitly disclose wherein the gateway implements processes which determine when the at least one service is implemented in the second network or ceasing provision of at least one service in favor of allowing the second network to provide the at least one service” and relies on Nicolson to cure the deficiencies of Czeiger. Applicants respectfully disagree and request reconsideration of this rejection. Applicants can find nothing in the disclosure of Czeiger or Nicolson that describes a gateway having processes implemented within the gateway for identifying at least one service provided by the first network that is not provided by the second network, processes for determining when the at least one service is implemented in the second network and for ceasing the provision of the at least one service in favor of allowing the second network to provide the at least one service.

The Office alleges that Nicolson teaches “processes implemented in a gateway for identifying at least one service provided by the first network that is not provided by the second network,” and cites Nicolson at col. 2, line 66 through col. 9, col. 4, lines 7-16, and col. 5, lines 51-58 in support of this assertion. The Office also alleges that Nicolson teaches processes implemented within the gateway for determining when the at least one service is implemented in the second network (citing Nicolson at col. 4, lines 1-16) and processes implemented within the gateway for ceasing a provision of the at least one service in favor of allowing the second network to provide the at least one service (citing Nicolson at col. 4, lines 17-30 and col. 5, line 58 through col. 6, line 30). Applicant respectfully disagrees, as Nicolson discloses node discovery in a network interface device for a single network. Nicolson does not disclose the identification of at least one service provided by a first network that is not provided by a second network, the determination of the implementation of that service on the second network, and then the cessation of that service by the gateway for that network. Thus, Nicolson does not cure the deficiencies of Czeiger and Czeiger and Nicolson, whether taken alone or in combination, fail to teach all of the features of independent claims 2 and 11. For at least these reasons, Applicant respectfully requests that the rejection of claims 2 and 11 be withdrawn. Similarly, Applicant

requests that the rejection of claims 3-5 and 12-14 be withdrawn, as they depend from an allowable base claims.

Claim 7 provides for a gateway comprising, *inter alia*, processes implemented in a gateway for identifying at least one service provided by the first network that is not provided by the second network and wherein the at least one discovery service provided by the first network and the processes implemented within the gateway comprise a discovery service implemented on behalf of the second network. Independent claim 16 recites similar features. The Office rejects claims 7 and 16 over Czeiger and Nicolson, acknowledging that Czeiger fails to teach the aforementioned features of independent claims 7 and 16, and relying upon Nicolson to cure the deficiencies of Czeiger. Applicants however, respectfully disagree. Nowhere in Czeiger or Nicolson is there any indication that a network provides a discovery service on behalf of a second network, much less how such a discovery service could be implemented across networks.

As Nicolson merely teaches node discovery on a single network, Nicolson fails to disclose or suggest processes implemented in a gateway for identifying at least one service provided by the first network that is not provided by the second network. Nicolson at col. 3, line 32 through col. 4, line 16, is alleged to teach that “the at least one service provided by the first network comprises a discovery service and the processes implemented within the gateway comprise a discovery service implemented on behalf of the second network.” However, the cited passage of Nicolson merely describes a discovery agent of the network interface device and does not disclose or suggest implementing a discovery service on behalf of a second network. Thus, Nicolson does not cure the deficiencies of Czeiger and Czeiger and Nicolson, whether taken alone or in combination, fail to teach all of the features of independent claims 7 and 16. For at least these reasons, Applicant request that the rejection of claims 7 and 16, and those claims depending directly or indirectly therefrom, be withdrawn. Allowance of claims 7 and 16, and those claims depending directly or indirectly therefrom, is respectfully requested.

Claims 5, 14, 22, and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Czeiger and Nicolson in view of U.S. Patent Application Publication No. 2003/0204580 to Baldwin, et al. (“Baldwin”). All rejections are traversed.

Applicant respectfully submits that Baldwin fails to cure the deficiencies of Czeiger and Nicolson set forth above with respect to independent claims 2, 7, 11, and 16. Accordingly, Czeiger, Nicolson, and Baldwin, whether taken alone or in combination, fail to disclose or

suggest all of the features of claims 5, 14, 22, and 28. Accordingly, Applicant respectfully submits that claims 5, 14, 22, and 28 patentably distinguish over the cited art for at least the same reasons as the independent claims from which they depend. Allowance of claims 5, 14, 22, and 28 is respectfully requested.

Claims 9, 18, 23, 24, 29, and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Czeiger and Nicolson in view of *IP SANs: A Guide to iSCSI, iFCP, and FCIP Protocols for Storage Area Networks* (hereinafter referred to as “Clark”). All rejections are traversed.

Independent claim 9 recites, *inter alia*, processes implemented within the gateway for identifying at least one service provided by the first network that is not provided by the second network. Independent claim 18 recites similar features. The Office Action acknowledges that Czeiger fails to disclose this feature, and relies upon Nicolson to cure this deficiency of Czeiger. However, as discussed above with respect to claims 2, 7, 11, and 16, Nicolson discloses only node discovery on a single network. Thus, Nicolson does not remedy this deficiency of Czeiger. Clark is relied upon only to teach the use of a security service and also fails to cure this deficiency of Czeiger. Thus, Czeiger, Nicolson, and Clark, whether taken alone or in combination, fail to disclose or suggest all of the features of independent claims 9, 18, 23, 24, 29, and 30. Accordingly, Applicant respectfully submits that claims 9, 18, 23, 24, 29, and 30 patentably distinguish over the cited art for at least the same reasons as the independent claims from which they depend. Allowance of claims 9, 18, 23, 24, 29, and 30 is respectfully requested.

Claims 25 and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Czeiger, Nicolson, and Clark in view of Baldwin. All rejections are respectfully traversed.

Claims 25 and 31 depend from claims 9 and 18, respectively, and are believed to patentably distinguish over the cited art for at least the same reasons as claims 9 and 18. Reconsideration and withdrawal of the rejections of claims 25 and 31, and allowance of claims 25 and 31, are respectfully requested.

Conclusion

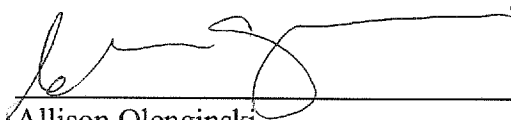
Claims 2-5, 7, 9, 11-14, 16, 18, and 20-31 are currently pending in the application. Applicant has fully responded to each and every objection and rejection in the Office action dated March 25, 2008 and believes that claims 2-5, 7, 9, 11-14, 16, 18, and 20-31 are in a

condition for allowance. Applicant therefore requests that a timely Notice of Allowance be issued in this case.

A petition for a three month extension of time is submitted herewith. The Applicant believes no further fees or petitions are required. However, if any such petitions or fees are necessary, please consider this a request therefore and authorization to charge Deposit Account No. 50-3199 accordingly.

If the Examiner should require any additional information or amendment, please contact the undersigned attorney. If the Examiner believes any issues could be resolved via a telephone interview, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted this 25 day of September 2008.


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